

1 Bill No. X-~~85~~ 86-02-20 (as amended)

2 ANNEXATION ORDINANCE NO. X- 01-87

3 AN ORDINANCE annexing certain territory
4 commonly known as the Villas of the Marketplace
5 Annexation Area to the City of Fort Wayne,
Indiana and including same in Councilmanic
District No. 2.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
7 FORT WAYNE, INDIANA:

9 SECTION 1. That the following described territory be and
10 the same is hereby annexed to, and made a part of, the
11 corporation of the City of Fort Wayne, Indiana, to-wit:

12 Part of the Northwest Quarter of Section 20,
13 and the Northeast Quarter of Section 19,
14 Township 31 North, Range 13 East, Allen County,
Indiana; more particularly described as
follows, to-wit:

15 Beginning at the intersection of the West
16 right-of-way line of St. Joe Road with the
17 South line of the Northeast one quarter of
18 Section 19, Township 31 North, Range 13
19 East; thence North along the West right-of-way
20 line of St. Joe Road to the Southwest corner of
21 Ordinance No. X-02-76; thence following in an
22 Easterly direction along the South line of
23 Ordinance No. X-02-76; being the existing City
24 Limits line, to the Southeast corner of
25 Ordinance No. X-02-76; thence in a Northerly
26 direction on the East line of Ordinance No. X-
27 02-76, being the existing City Limits line, to
28 the South right-of-way line of St. Joseph
29 Center Road; thence in an Easterly direc-
30 tion along the South right-of-way line of
31 St. Joseph Center Road to its intersection with
32 the East line of the Northwest quarter of
Section 20, Township 31 North, Range 13 East;
thence South along the East line of the North-
west quarter of Section 20, Township 31 North,
Range 13 East to the South line of the North-
west quarter of Section 20, Township 31 North,
Range 13 East; thence West along the South line
of the Northwest quarter of Section 20,
Township 31 North, Range 13 East, to its
intersection with the West line of the North-
west quarter of Section 20, Township 31 North,
Range 13 East; thence continuing West along the
South line of the Northeast quarter of Section
19, Township 31 North, Range 13 East, to the
point of beginning on the West right-of-way
line of St. Joe Road.

1 SECTION 2. That the City of Fort Wayne will furnish the
2 above described territory within a period of one (1) year from
3 the effective date of annexation, planned services of a
4 non-capital nature, including police protection, fire pro-
5 tection, and street and road maintenance, in a manner which is
6 equivalent in standard and scope to those non-capital services
7 provided to areas within the City of Fort Wayne which have
8 similar topography, patterns of land utilization and population
9 density to the said described territory. The City of Fort
10 Wayne will also provide services of a capital improvement
11 nature, including street construction, street lighting, sewer
12 facilities, water facilities and stormwater drainage facilities
13 to the annexed territory within three (3) years of the effec-
14 tive date of annexation, in the same manner as such services
15 are provided to areas already in the City of Fort Wayne with
16 similar topography, patterns of land utilization and population
17 density, and in a manner consistent with federal, state and
18 local laws, procedures and planning criteria.

19 SECTION 3. That governmental and proprietary services
20 will be provided to the above described territory in a manner
21 consistent with the written Fiscal Plan for the territory
22 developed by the Division of Community Development and Plan-
23 ning. Said Plan was examined by the Common Council of the City
24 of Fort Wayne and is approved and adopted by the Common Council
25 by and upon the passage of this Ordinance.

26 SECTION 4. That said described territory shall be a part
27 of Councilmanic Political Ward No. 2 of the City of Fort Wayne,
28 Indiana, as described in Division I, Section 2-9 of Chapter 2
29 of the Municipal Code of the City of Fort Wayne, Indiana of
30 1974, as amended.

31 SECTION 5. That after its passage, any and all necessary
32 approval by the Mayor, due legal publication, and the required

sixty day remonstrance period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne on December 31, 1989, provided a successful remonstrance is not filed. In the event a successful remonstrance is filed, the effective date of annexation shall be thirty days after the termination of the appeal period after the judicial disposition of the remonstrance.

Charles B. Redd
Councilmember

Read the first time in full and on motion by B. odd,
seconded by J. Steer, and duly adopted, read the second time
by title and referred to the Committee Ass. negotiations (and the Cit
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne
Indiana, on _____, the _____ day of
_____, 19_____, at _____ o'clock _____.M., E.

DATE: 2-11-86

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Steve
seconded by Quinn, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	—	—	—	—
<u>BRADBURY</u>	✓	—	—	—	—
<u>BURNS</u>	✓	—	—	—	—
<u>EISBART</u>	✓	—	—	—	—
<u>GiaQUINTA</u>	✓	—	—	—	—
<u>HENRY</u>	✓	—	—	—	—
<u>REDD</u>	✓	—	—	—	—
<u>SCHMIDT</u>	✓	—	—	—	—
<u>STIER</u>	✓	—	—	—	—
<u>TALARICO</u>	✓	—	—	—	—

DATE: 4-14-87.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. X-01-87 on the 14th day of April 19 E

ATTEST:

ATTEST:

(SEAL)

(SEAL)
Mark E. Quainte
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 15th day of April, 1917
at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 20th day of April
1987, at the hour of 100 o'clock P.M., E.S.T.

Win Moses, Jr.

Admn. Appr. _____

DIGEST SHEET

(as amended)
X-86-02-20**TITLE OF ORDINANCE** Ordinance for Villas of the Marketplace Annexation**DEPARTMENT REQUESTING ORDINANCE** Community Development & Planning**SYNOPSIS OF ORDINANCE** Ordinance annexes said territory to the City of Fort Wayne. The annexation area contains approximately 147 acres. The annexation area meets both tests for annexation under State law in that the area is at least (12.5%) contiguous to the City and has a population density of at least three persons per acre, and the area is at least (25%) contiguous to the City and is needed and can be used by the Municipality in the near future.**EFFECT OF PASSAGE** Described territory will become part of the City. In addition annexation will expand the City's tax base and will allow the City to keep pace with urban growth.**EFFECT OF NON-PASSAGE** The area will not become part of the City.**MONEY INVOLVED (Direct Cost, Expenditures, Savings)** To be explained by the Fiscal Plan which will be prepared by the Division of Community Development and Planning.**ASSIGNED TO COMMITTEE (J.N.)** _____

K-86-02-20

As Amended
by Ordinance

PROPOSED AMENDMENT TO THE VILLAS OF THE MARKETPLACE
ANNEXATION ORDINANCE

SECTION 5. That after its passage, any and all necessary approval by the Mayor, due legal publication, and the required sixty day remonstrance period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne on December 31, 1989, provided a successful remonstrance is not filed. In the event a successful remonstrance is filed, the effective date of annexation shall be thirty days after the termination of the appeal period after the judicial disposition of the remonstrance.

sixty (60) day remonstrance period, this Ordinance shall be in full force and effect. The above described territory shall become part of the City of Fort Wayne on December 31, 1986, or immediately after the remonstrance period has expired, whichever is later.

Warren S. Redd

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

BRUCE O. BOXBERGER, CITY ATTORNEY

BILL NO. X-86-02-20

REPORT OF THE COMMITTEE ON ANNEXATION

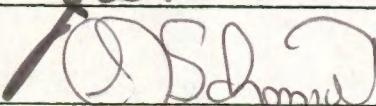
WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) annexing certain territory
commonly known as the Villas of the Marketplace Annexation Area to the
City of Fort Wayne, Indiana and including same in Councilmanic
District No. 2

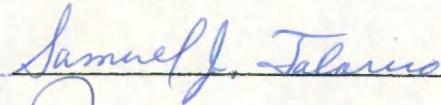
HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION)

YES

NO


JAMES S. STIER
CHAIRMAN


DONALD J. SCHMIDT
VICE CHAIRMAN


SAMUEL J. TALARICO


JANET G. BRADBURY


PAUL M. BURNS

CONCURRED IN 4-14-87

SANDRA E. KENNEDY
CITY CLERK

LEGAL NOTICE

Notice is hereby given that on the 14th day of April, 1987, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-86-02-20 (as amended) Annexation Ordinance No. X-01-87 to-wit:

1 Bill No. X-~~85~~ 86-02-20 (as amended)

2 ANNEXATION ORDINANCE NO. X- 01-87

3 AN ORDINANCE annexing certain territory
4 commonly known as the Villas of the Marketplace
Annexation Area to the City of Fort Wayne,
5 Indiana and including same in Councilmanic
District No. 2.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
7 FORT WAYNE, INDIANA:

9 SECTION 1. That the following described territory be and
10 the same is hereby annexed to, and made a part of, the
11 corporation of the City of Fort Wayne, Indiana, to-wit:

12 Part of the Northwest Quarter of Section 20,
13 and the Northeast Quarter of Section 19,
Township 31 North, Range 13 East, Allen County,
14 Indiana; more particularly described as
follows, to-wit:

15 Beginning at the intersection of the West
right-of-way line of St. Joe Road with the
16 South line of the Northeast one quarter of
Section 19, Township 31 North, Range 13
17 East; thence North along the West right-of-way
line of St. Joe Road to the Southwest corner of
Ordinance No. X-02-76; thence following in an
18 Easterly direction along the South line of
Ordinance No. X-02-76; being the existing City
19 Limits line, to the Southeast corner of
Ordinance No. X-02-76; thence in a Northerly
20 direction on the East line of Ordinance No. X-
02-76, being the existing City Limits line, to
21 the South right-of-way line of St. Joseph
Center Road; thence in an Easterly direc-
22 tion along the South right-of-way line of
St. Joseph Center Road to its intersection with
23 the East line of the Northwest quarter of
Section 20, Township 31 North, Range 13 East;
thence South along the East line of the North-
24 west quarter of Section 20, Township 31 North,
Range 13 East to the South line of the North-
25 west quarter of Section 20, Township 31 North,
Range 13 East; thence West along the South line
26 of the Northwest quarter of Section 20,
Township 31 North, Range 13 East, to its
27 intersection with the West line of the North-
west quarter of Section 20. Township 31 North,

successful remonstrance is not filed. In the event a successful remonstrance is filed, the effective date of annexation shall be thirty days after the termination of the appeal period after the judicial disposition of the remonstrance.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Stier,
seconded by Redd, and duly adopted, placed on its passage. PASSED
by the following vote:

AYES: Nine
Bradbury, Burns, Eisbart, GiaQuinta, Henry,
Redd, Schmidt, Stier, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None

DATE: 4-14-87 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of
Fort Wayne, Indiana, as Annexation Ordinance No. X-01-87 on the
14th day of April, 1987.

ATTEST: (SEAL)

Sandra E. Kennedy
City Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 15th day of April, 1987, at the hour of 11:30
o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 20th day of April, 1987,
at the hour of 1:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of
Annexation Ordinance No. X-01-87,
passed by the Common Council on the 14th day of
April, 19 87, and that said Ordinance was
duly signed and approved by the Mayor on the 20th day of
April, 19 87, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 20th day of April, 1987.

SEAL

SANDRA E. KENNEDY, CITY CLERK



The City of Fort Wayne

April 22, 1987

Ms. Marilyn Romine
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Romine:

Please give the attached full coverage on the dates of April 25 and May 2, 1987, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-87-02-11
Cook Road Annexation

Bill No. X-86-02-20 (as amended)
Marketplace Annexation Area

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,
Sandra E. Kennedy

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

Fort Wayne Common Council

(Governmental Unit)

Allen County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	1
Body	number of lines	136
Tail	number of lines	2
Total number of lines in notice		139

COMPUTATION OF CHARGES

1.39..... lines, 1..... columns wide equals 1.39..... equivalent lines at 4.50¢ \$ 62.55
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (1.00 for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM \$ 64.55

DATA FOR COMPUTING COST

Width of single column 12.5 picas Size of type 6 point

Number of insertions 2 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 2, 1987

Title CLERK

FORM #904

State of Indiana
ALLEN County SS:

PUBLISHER'S AFFIDAVIT

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling, who, being duly sworn, says

that he/she is CLERK of the

JOURNAL-GAZETTE

a newspaper of general circulation printed and published

in the English language in the city town of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

4/25, 5/2/87

Subscribed and sworn to me before this 2nd day of May 19 87

Shelley R. LaRue
Notary PublicShelley R. LaRue
My commission expires March 3, 1990

LEGAL NOTICE
Notice is hereby given that on the 14th day of April, 1987, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-86-02-20 (as amended) Annexation Ordinance No. X-01-87 to-wit:
Bill No. X-86-02-20 (as amended)
ANNEXATION ORDINANCE NO. X-01-87
AN ORDINANCE annexing certain territory commonly known as the Villas of the Marketplace Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 2.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:
Part of the Northwest Quarter of Section 20, and the Northeast Quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana; more particularly described as follows, to-wit:
Beginning at the intersection of the West right-of-way line of St. Joe Road with the South line of the Northeast one quarter of Section 19, Township 31 North, Range 13 East; thence North along the West right-of-way line of St. Joe Road to the Southwest corner of Ordinance No. X-02-76; thence following in an Easterly direction along the South line of Ordinance No. X-02-76; being the existing City Limits line, to the Southeast corner of Ordinance No. X-02-76; thence in a Northerly direction on the East line of Ordinance No. X-02-76, being the existing City Limits line, to the South right-of-way line of St. Joseph Center Road; thence in an Easterly direction along the South right-of-way line of St. Joseph Center Road to its intersection with the East line of the Northwest quarter of Section 20, Township 31 North, Range 13 East; thence South along the East line of the Northwest quarter of Section 20, Township 31 North, Range 13 East to the South line of the Northwest quarter of Section 20, Township 31 North, Range 13 East, the Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-87, passed by the Common Council on the 14th day of April, 1987; and that said Ordinance was duly signed and approved by the Mayor on the 20th day of April, 1987, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of April, 1987.
SANDRA E. KENNEDY, CITY CLERK
SEAL
4-25-87

.....Fort Wayne Common Council
(Governmental Unit)
.....Allen.....County, IN

To **NEW-SENTINEL** Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	1
Body	number of lines	136
Tail	number of lines	2
Total number of lines in notice		139

COMPUTATION OF CHARGES

139 lines, 1 columns wide equals 139 equivalent lines at .450¢ \$ 62.55
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)
.....

Charge for extra proofs of publication (1.00 for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM \$ 64.55

DATA FOR COMPUTING COST

Width of single column 12.5 picas Size of type **6** point

Number of insertions 2 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Judy Sterling

Date May 2, 19 87

Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the
undersigned Trudy Sterling who, being duly sworn, says
that he/she is **CLERK** of the

NEWSSENTINEL
DAILY newspaper of general circulation printed and published
in the English language in the city

in state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper fortwo times....., the dates of publication being
as follows:

Subscribed and sworn to me before this 2nd day of May 1987
..... *Shelley R. LaRue*
Shelley R. LaRue Notary Public

Notice is hereby given that on the 14th day of April, 1987, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-86-02-20 (as amended) Annexation Ordinance No. X-01-87 to-wit:

Bill No. X-86-02-20 (as amended)
ANNEXATION ORDINANCE NO. X-01-87
AN ORDINANCE annexing certain territory commonly known as the Villas of the Marketplace Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northwest Quarter of Section 20, and the Northeast Quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana; more particularly described as follows, to-wit:

Beginning at the intersection of the West ght-of-way line of St. Joe Road with the South line of Northeast one quarter of Section 19, Township 31 North, Range 13 East; thence North along the West ght-of-way line of St. Joe Road to the Southwest corner of Ordinance No. X-02-76; thence following in Easterly direction along the South line of Ordinance No. X-02-76; being the existing City Limits line, to the northeast corner of Ordinance No. X-02-76; thence in a Northerly direction on the East line of Ordinance No. X-02-76, being the existing City Limits line.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of April, 1987.

SANDRA E. KENNEDY, CITY CLERK